

MINUTES
BOARD OF SUPERVISORS
COUNTY OF YORK

Regular Meeting
May 16, 2000

7:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 7:01 p.m., Tuesday, May 16, 2000, in the Board Room, York Hall, by Vice Chairman James S. Burgett.

Attendance. The following members of the Board of Supervisors were present: Donald E. Wiggins, James S. Burgett, and Melanie L. Rapp.

Also in attendance were Daniel M. Stuck, County Administrator; and James E. Barnett, County Attorney.

Invocation. William C. Parker, Public Information Officer, gave the invocation.

Pledge of Allegiance to the Flag of the United States of America. Vice Chairman James S. Burgett led the Pledge of Allegiance.

HIGHWAY MATTERS

Mr. Jimmy Hamrick, Assistant Resident Engineer, Virginia Department of Transportation (VDOT), appeared to discuss highway matters of interest to the Board of Supervisors. He indicated he had nothing to report and offered to answer any of the Board's questions.

Mr. Wiggins extended thanks from the citizens of Edgehill for VDOT's recent work in the area. He described a sign on Allen's Mill Road that indicated the road was being considered for no thru truck status, although an existing sign read "No Thru Trucks," and he asked Mr. Hamrick to check on it. He discussed the intersection of Old York Hampton Highway and Freedom Drive and the need for a stop sign at that location. He also asked that debris in front of a vacant lot on Martha Drive be removed.

Miss Rapp asked to receive a paving schedule for the County and requested that she be informed by email of the status of Tinnette Lane. She thanked VDOT for the partial paving of Yorktown Road and asked when the lanes would be marked.

Mr. Hamrick stated Tinnette Lane was in an environmental area and he would check on the status of that as well as the marking of Yorktown Road.

Mr. Burgett expressed his appreciation for the paving of streets and the repairs of potholes, and he noted that the problem with high water on Holly Point Road had been solved. He also requested a paving schedule.

PRESENTATIONS

STUDENT LOCAL GOVERNMENT PROGRAM

Vice Chairman Burgett noted that May was Student Local Government Month, and he explained the activities taking place in the school system and within the County government to recognize it. The members of the Board, the County Administrator, and the County Attorney introduced the following student shadows present this evening participating in the Student Local Government Program:

Jack Sheehan	York High School
John Scull	Bruton High School
Russell Perritt	Tabb High School
Kimberly Johnson	Grafton High School
Jennifer Bissett	Tabb High School
Christin Gethers	Grafton High School
Ashley Bowman	Grafton High School
Shanelle Camit	Tabb High School
Christie Rawls	York High School
Katy Frisch	Bruton High School
Jacqueline Jones	Grafton High School
Brooke Watson	Tabb High School
Christopher Tulip	Grafton High School
Justin Gollott	Tabb High School

CITIZENS COMMENT PERIOD

Mr. C. J. Duncan, 2211 Old York Hampton Highway, addressed flooding problems and stated he still had water in his yard left from the hurricane last year. He requested that something be done to eliminate the flooding in his area and in the Cook Road area.

Vice Chairman Burgett indicated that Mr. Wiggins would be organizing a drainage committee in an effort to get some of the drainage issues resolved.

Mr. Ralph E. Carr, 2313 Old York Hampton Highway, stated he was concerned that there are no outlets at Cook Road and Old York Hampton Highway when flooding occurs. He stated he would like to talk to the VDOT representative about the holding pond, and he requested that a drainage pipe be installed to reduce flooding.

COUNTY ATTORNEY REPORTS AND REQUESTS

Mr. Barnett spoke of a luncheon he attended with other local government attorneys to discuss telecommunications and some of the common issues local jurisdictions will face. He stated they would be getting together periodically in an effort to keep up with some of the demands related to telecommunications.

COUNTY ADMINISTRATOR REPORTS AND REQUESTS

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Mr. Stuck addressed the memorandum contained in the Board's Priority Correspondence, and he asked for the Board's support in the VDOT Revenue Sharing Program and the request for additional revenue funding.

By consensus the Board agreed to support the submission.

Mr. Stuck then requested from the Board members the names of citizens willing to serve on the Drainage Committee. He stated the first scheduled meeting would include a VDOT representative. He informed the Board of the work session scheduled for May 23 to discuss Yorktown matters and stated the background material on these issues was contained in the briefing book previously provided to the Board. He stated Mr. Carlton Abbot would attend the session to discuss the current status of the construction drawings for Riverwalk, and he suggested the Board may want to have a closed session to discuss some of the contractual issues with the Trustees. Mr. Stuck announced that the County Administrator's office had a new employee, Michelle Settle, who replaced Robin Sargent in the Secretary II position. He noted that Mrs. Settle was a former employee in that position.

Miss Rapp stated she would like to address the Trustees at the next work session since the Board was already behind on the contractual issues mentioned by Mr. Stuck.

MATTERS PRESENTED BY THE BOARD

Miss Rapp acknowledged her need to find three people for the drainage committee and asked how often the committee would meet. She indicated she had a citizen interested in the committee who could meet on Mondays or Wednesdays.

Mr. Wiggins stated they would most likely meet twice a month in the beginning and then once a month later on for a one-year term.

Miss Rapp noted she had spoken to Senator Norment who suggested he had ideas regarding drainage issues.

Mr. Wiggins stated he had represented the Board at a recent meeting that included the local commanding officers of the Naval Weapons Station and the Coast Guard Station. He stated both commanders would be retiring this year, and he noted that four of the six commanding officers in the area resided in York County.

Vice Chairman Burgett described his recent experience at the Learning Garden presented by the Master Gardener's and stated the County staff was extremely helpful. He elaborated on his meeting at the Williamsburg Chamber of Commerce and the feasibility study being conducted on the visitor center.

CONSENT CALENDAR

Miss Rapp moved the adoption of the Consent Calendar, Item Nos. 3, 4, 5, 6, 7, and 8, respectively.

On roll call the vote was:

Yea: (3) Wiggins, Rapp, Burgett

Nay: (0)

Thereupon, the following minutes were approved and resolutions adopted:

Item No. 3. APPROVAL OF MINUTES

The minutes of the following meetings of the York County Board of Supervisors were approved:

April 18, 2000, Regular Meeting
 April 25, 2000, Adjourned Meeting
 May 2, 2000, Regular Meeting

Item No. 4. COMMENDATION OF THE 1999-2000 YOUTH COMMISSION: Resolution R00-64

A RESOLUTION TO COMMEND THE 1999-2000 YORK COUNTY
 YOUTH COMMISSION AND TO EXPRESS THE APPRECIATION OF
 THE BOARD OF SUPERVISORS TO EACH INDIVIDUAL MEMBER
 FOR THEIR DEDICATED SERVICE TO YORK COUNTY

WHEREAS, the Board of Supervisors established the York County Youth Commission in 1983; and

WHEREAS, the following youth,

Jennell Whitfield, Chairperson
 Earthen Johnson, Secretary
 Shanelle Camit
 Brett Morrison
 Billy Rossano

Jyothi Natarajan, Vice Chairman
 Lindsay Bowman
 Landon Haywood
 Christy Orband
 Daniel Shean

have served with distinction on the 1999-2000 York County Youth Commission; and

WHEREAS, the Board of Supervisors is extremely pleased with the worthwhile activities undertaken by the Youth Commission this past year and wishes to publicly recognize the members for their accomplishments, which include:

Presenting quarterly activity reports to the Board of Supervisors;

Distributing hundreds of American flags and brochures during the 1999 Yorktown Day activities;

Giving, on behalf of the County's youth, a one-hundred dollar donation in honor of John Carl to support the work of the American Cancer Society;

Assisting the Historical Committee with the 1999 Christmas Tree-Lighting Ceremony in Yorktown;

Providing children's clothes to the Salvation Army to assist needy families in the County during the holiday season;

Sponsoring a County-wide dance at Grafton High School in January that was at-

tended by more than 800 students from all four public high schools;

Contributing, on behalf of the County's youth, three-hundred dollars from the proceeds of this dance to support the York County Church Women United's Food Closet, an interdenominational volunteer initiative that provides emergency food and other essential items to needy families and individuals living in the County;

Hosting an afternoon of "Valentine Bingo" at the Senior Center of York, providing prizes and refreshments that were enjoyed by the young and young-at-heart alike;

Receiving training from the County's Webmeister to assist in the planning and design of a Youth Commission Web site, with the hope of improving communication between the youth of the County and the Board of Supervisors;

Completing this project and, on March 1, 2000, publishing to the worldwide web, a Youth Commission Internet web site, designed by commissioners for the County's youth and known as "Look Out, Speak Out, Reach Out;"

Assisting with the Regional Neighborhoods Conference held in March at Woodside High School by helping to plan youth session topics, serving as moderators for some of these sessions, and by participating in the Youth Forum panel discussion with youth and adult leaders from other peninsula localities;

Following up last year's County-wide student survey by hosting a Youth Forum for interested high school students at the Tabb Library to better understand prevailing concerns and opinions on youth related matters;

Assisting the Historical Committee in its welcoming reception for the 2000 exchange students from the County's sister city of Zweibrücken, Germany;
Co-sponsoring the annual Outstanding Youth Awards program with the Board of Supervisors and honoring the award recipients with a reception and formal presentation in May;

Assisting with the recruitment of applicants for the 2000-2001 Youth Commission;

Inviting middle school students at the York River Regional School to join the commission in teambuilding exercises at Hampton Roads Academy's Ropes and Challenge Course;

Serving tables at the Fifth Annual Senior Citizens' Prom held at York High School;

Joining with the YMCA and York County School Division in the development of "Youth Emphasis Week," scheduled for October, 2000, and supporting this initiative through active participation in the planning process and by pledging funds to help sponsor a nationally recognized speaker who will conduct student assemblies at each of the County's high schools and middle schools, and also address parents and others interested in our youth at evening community sessions; and

Directing the staff liaisons to request that all remaining Youth Commission funds be carried over to the 2000-2001 Youth Commission to help sponsor a Regional Youth Forum, lend further support to the Youth Emphasis Week, sponsor special group discussion sessions with members of the Board and other County and school officials, or to otherwise be spent on projects that help educate students on pertinent issues and continue to enhance communications between the Board of Supervisors and the youth of York County;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors on this the 16th day of May, 2000, that the 1999-2000 York County Youth Commission members be, and they are hereby, congratulated for their dedicated service to York County and commended for an outstanding year;

BE IT STILL FURTHER RESOLVED that the York County Board of Supervisors hereby extends its best wishes for continued success to these leaders of today and tomorrow.

Item No. 5. EMPLOYEES OF THE QUARTER: Resolutions R00-68 and R00-69

Resolution R00-68:

A RESOLUTION TO COMMEND DARRIN J. CLEGG, FIRE LIEUTENANT, DEPARTMENT OF FIRE AND LIFE SAFETY, DIVISION OF FIRE AND RESCUE OPERATIONS, AS EMPLOYEE OF THE QUARTER

WHEREAS, Lieutenant Darrin J. Clegg has been employed with the Department of Fire and Life Safety for nine years and currently serves as the Station Officer for Fire Station Two; and

WHEREAS, Lieutenant Clegg took on the special assignment of administering the department's fire hose testing and maintenance program for 31,000 feet of fire hose located at six fire stations; and

WHEREAS, he reviewed the current process with the help of various station personnel and was able to make changes that improved the efficiency and effectiveness of the process and reduced the time required for testing from several months to six weeks; and

WHEREAS, the information gathered will be entered into a computerized database that will provide the department with a history of fire hose use, maintenance, and testing; and

WHEREAS, Lieutenant Clegg's energy and attention to detail make him a valuable asset, and these qualities have reaped benefits for the entire department;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 16th day of May, 2000, that Darrin J. Clegg, Fire Lieutenant, be, and he is hereby, congratulated upon his selection as Employee of the Quarter for the quarter ending March 31, 2000.

Resolution R00-69:

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A RESOLUTION TO COMMEND W. KIMBER EXTINE, LIEUTENANT
DEPUTY SHERIFF – LAW ENFORCEMENT, OFFICE OF THE SHER-
IFF, AS EMPLOYEE OF THE QUARTER

WHEREAS, Lieutenant W. Kimber Extine has worked in the Sheriff's Office for eighteen years and during that time has demonstrated an uncanny ability to recognize and apprehend dangerous criminals; and

WHEREAS, while assigned to the Special Investigations Unit, he once again demonstrated this ability when he observed an automobile that resembled the description of a vehicle that had been used in an armed robbery earlier that month; and

WHEREAS, he observed that the occupants matched the description of the suspects in the robbery, called in the license plate of the vehicle, discovered that the vehicle had been stolen, and he proceeded to pull the vehicle over for a traffic stop; and

WHEREAS, he was able to arrest the suspects and find enough evidence in the vehicle to obtain a search warrant, and as a result a significant amount of drugs and cash were seized; and

WHEREAS, Lieutenant Extine's keen observations led to the arrest of three dangerous individuals, and a substantial amount of illegal narcotics were removed from a York County neighborhood;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 16th day of May, 2000, that W. Kimber Extine, Lieutenant Deputy Sheriff – Law Enforcement, be, and he is hereby, congratulated upon his selection as Employee of the Quarter for the quarter ending March 31, 2000.

Item No. 6. PUBLIC SEWER EXTENSION AGREEMENT: Resolution R00-67

A RESOLUTION TO AUTHORIZE AN EXTENSION OF THE
COUNTY'S SANITARY SEWER SYSTEM TO THE PROPOSED DE-
VELOPMENT, VICTORY MEADOWS, PHASE TWO, AND AUTHORIZ-
ING EXECUTION OF THE NECESSARY PUBLIC SEWER EXTENSION
AGREEMENT

WHEREAS, ABS Building Corporation has requested that the County enter into a public sewer extension agreement pursuant to § 18.1-53 (b) of the York County Code to serve 15 new lots; and

WHEREAS, the plan for the proposed project has been reviewed by the County; and

WHEREAS, prior to final approval of these plans and the initiation of any construction activity, it is necessary that a determination be made as to whether the Board will authorize the extension of the public sewer facilities of the County to serve the proposed development; and

WHEREAS, it has been determined that sufficient capacity exists in the County's existing sewer system to serve the proposed development, or will exist when the facilities proposed by the developer are constructed; and

WHEREAS, in accordance with the terms of Chapter 18.1 of the York County Code the total connection fee to be paid to the County for the proposed extension to serve this development has been determined to be \$28,125.00;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 16th day of May, 2000, that the Board approves the extension of the County's public sewer system to serve the proposed development, Victory Meadows, Phase Two, and that the County Administrator be, and he hereby is, authorized to execute a public sewer extension agreement with ABS Building Corporation for the proposed extension; such agreement to be approved as to form by the County Attorney.

Item No. 7. FUNDING FOR THE PRIMARY ELECTION: Resolution R00-70

A RESOLUTION TO AUTHORIZE THE EXPENDITURE OF \$10,000 TO COVER THE COST OF THE PRIMARY ELECTION FOR THE PURPOSE OF NOMINATING A CANDIDATE OF THE REPUBLICAN PARTY FOR THE UNITED STATES HOUSE OF REPRESENTATIVES FOR THE 1ST CONGRESSIONAL DISTRICT

WHEREAS, the Commonwealth of Virginia State Board of Elections has notified the County Electoral Board of the need to hold a primary election for the purpose of nominating a candidate of the Republican Party for a Member of the United States House of Representatives for the 1st Congressional District; and

WHEREAS, pursuant to Section 24.2-517 of the Code of Virginia, a primary election will be held in the County on Tuesday, June 13, 2000; and

WHEREAS, for FY2000, the Electoral Board's budget had adequate funding for the two elections previously held: the General Election on November 2, 1999, and the Republican Presidential Primary on February 29, 2000; and

WHEREAS, to ensure compliance with the requirement of the third election, the Electoral Board is requesting funding of \$10,000, which is available in the Contingency Reserve, to cover the costs of the payments for the officers of election, programming of the voting machines, printing of ballots and other miscellaneous election costs;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 16th day of May, 2000, that the expenditure of \$10,000 requested by the Electoral Board be, and hereby is, approved from Contingency Reserve to cover the cost of the primary election for the purpose of nominating a candidate of the Republican Party for the United States House of Representatives for the 1st Congressional District.

Item No. 8. PURCHASE AUTHORIZATION: Resolution R00-72

A RESOLUTION TO AUTHORIZE PROCUREMENT OF SECURITY GUARD SERVICES

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WHEREAS, it is the policy of the Board of Supervisors that all procurements of goods and services by the County involving the expenditure of \$30,000 or more be submitted to the Board for its review and approval; and

WHEREAS, the County Administrator has determined that the following procurement is necessary and desirable, that it involves the expenditure of \$30,000 or more, and that all applicable laws, ordinances, and regulations have been complied with;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 16th day of May, 2000, that the County Administrator be, and hereby is, authorized to conclude procurement arrangements for the following:

	<u>AMOUNT</u>
Security Guard Services (Annual Contract) estimate	\$26,000/year

NEW BUSINESS

LICENSE AGREEMENT FOR VEHICULAR AND UTILITY ACCESS

Mr. Stuck made a brief presentation on proposed Resolution R00-76 to authorize the County Administrator to enter into a license agreement with Roland R. and Betty A. Rollins and Dennis L. and Barbara G. Rollins for vehicular and utility access across an unimproved portion of Trevor Trace.

After a brief discussion about the subject property, Mr. Wiggins moved the adoption of proposed resolution R00-76 that reads:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO ENTER INTO A LICENSE AGREEMENT WITH ROLAND R. AND
BETTY A. ROLLINS, AND DENNIS L. ROLLINS AND BARBARA G.
ROLLINS FOR VEHICULAR AND UTILITY ACCESS ACROSS AN
UNIMPROVED PORTION OF TREVOR TRACE

WHEREAS, Roland R. Rollins and Betty A. Rollins are the owners of property adjacent to Willow Lakes subdivision abutting an unimproved stub portion of Trevor Trace; and

WHEREAS, Roland R. Rollins and Betty A. Rollins and Dennis L. Rollins and Barbara G. Rollins (who own an adjoining parcel) desire to gain vehicular access to Trevor Trace, and the right to install private water and sewer laterals and other utilities across the unimproved stub street; and

WHEREAS, Roland R. Rollins and Betty A. Rollins and Dennis L. Rollins and Barbara G. Rollins have proposed to the County a license agreement, by which both families shall be granted such access, provided that the license agreement shall expire, and any utilities placed within the stub street shall be removed at such time as Trevor Trace is extended over the stub street; and

WHEREAS, it has been determined that entering into such license agreement benefits the public welfare and is not adverse to the County's interests.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 16th day of May, 2000, that the County Administrator be, and is hereby authorized, for and on behalf of the Board to enter into a license agreement whereby Roland R. Rollins and Betty A. Rollins and Dennis L. Rollins and Barbara G. Rollins shall be granted vehicular and utility access across that unimproved stub street which is shown on the subdivision plat of Willow Lakes, Section Two, as an extension of Trevor Trace, provided that such license shall expire at such time as Trevor Trace is extended over the stub street, such agreement to be substantially similar in form to the draft agreement transmitted to the Board by report of the County Administrator dated May 4, 2000, such license agreement to be approved as to form by the County Attorney.

On roll call the vote was:

Yea: (3) Rapp, Wiggins, Burgett
Nay: (0)

FORT EUSTIS BOULEVARD EXTENSION ALIGNMENTS

Mr. Stuck made a brief presentation on proposed Resolution R00-73 to express the position of the Board of Supervisors regarding the preferred alignment for the extension of Fort Eustis Boulevard.

Mr. Robert Baldwin, Chief Planner, provided a map and explained the anticipated routes for the proposed Fort Eustis Boulevard extension.

Vice Chairman Burgett stated the decision had already been made, and the road was going in. The Board just needed to decide which alignment would be the best, and he felt recommendation 'B' and 'D' would be the best choices.

Miss Rapp agreed with the new road, but related her concerns on the impact of the wetlands area.

Mr. Wiggins agreed with the recommended Route 'B' and stated the road had been planned for a long time.

Miss Rapp moved the adoption of proposed Resolution R00-73 that reads:

A RESOLUTION TO EXPRESS THE POSITION OF THE BOARD OF SUPERVISORS REGARDING THE PREFERRED ALIGNMENT FOR THE EXTENSION OF FORT EUSTIS BOULEVARD

WHEREAS, the extension of Fort Eustis Boulevard east from Route 17 to the intersection of Goodwin Neck Road and Seaford Road has been one of York County's high-priority road projects for many years; and

WHEREAS, the Virginia Department of Transportation conducted a Location Public Hearing for this project on May 3, 2000, and is accepting comments regarding potential alignments for this new road; and

WHEREAS, of the six alignment alternatives under consideration, Alignment BD offers the greatest benefit to the County and its citizens by providing a fairly direct route to Interstate

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64 for Seaford residents while also providing access to one of the County's Economic Development Priority Areas and minimizing impacts on adjacent property owners;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 16th day of May, 2000, that it does hereby endorse Alignment BD, with a landscaped median, as the preferred alternative for extending Fort Eustis Boulevard east of Route 17.

On roll call the vote was:

Yea: (3) Wiggins, Rapp, Burgett
Nay: (0)

Meeting Recessed. At 7:44 p.m. Vice Chairman Burgett declared a short recess.

Meeting Reconvened. At 8:00 p.m. the meeting was reconvened in open session by order of the Vice-Chair.

PUBLIC HEARINGS

ASSESSMENTS FOR THE LAW LIBRARY

Mr. Barnett made a presentation on proposed Ordinance No. 00-5 to amend the York County Code to increase the assessment on civil actions filed in York County from \$1.00 to \$4.00 for the purpose of funding a public law library. He explained local governments are authorized to access fees on civil filings, and he explained the money could be used exclusively for the maintenance of a law library.

Vice Chairman Burgett then called to order a public hearing on proposed Ordinance No. 00-5 which was duly advertised as required by law and is entitled:

AN ORDINANCE TO AMEND YORK COUNTY CODE SECTION 1-14
TO INCREASE THE ASSESSMENT ON CIVIL ACTIONS FILED IN
YORK COUNTY FROM \$1.00 TO \$4.00 FOR THE PURPOSE OF
FUNDING A PUBLIC LAW LIBRARY

There being no one present who wished to speak concerning the subject ordinance, Vice Chairman Burgett closed the public hearing.

Miss Rapp asked if the funds had been specifically designated for the library.

Mr. Barnett stated that in accordance with the statute, the money had to go to the library.

Mr. Wiggins stated the practitioners would benefit from the increased fees, stating he felt the citizens should not have to pay for the library and that it should pay for itself.

Vice Chairman Burgett felt the Law Library was very worthwhile, and he was in favor of the Ordinance.

Mr. Wiggins moved the adoption of proposed Ordinance 00-5 that reads:

AN ORDINANCE TO AMEND YORK COUNTY CODE SECTION 1-14
TO INCREASE THE ASSESSMENT ON CIVIL ACTIONS FILED IN
YORK COUNTY FROM \$1.00 TO \$4.00 FOR THE PURPOSE OF
FUNDING A PUBLIC LAW LIBRARY

BE IT ORDAINED by the York County Board of Supervisors this 16th day of May, 2000, that section 1-14 of Chapter 1, General Provisions, York County Code, be and it is hereby amended to read and provide as follows:

Sec. 1-14. Same—Assessment upon civil actions to fund law library; exceptions.

The sum of four dollars (\$4.00) is hereby assessed as a part of court costs incident to each civil action filed in the county circuit court or in the county general district court, which shall be collected by the clerks of the respective courts and remitted to the county treasurer to be held by him, subject to disbursement by this board for the acquisition of law books and law periodicals, and for the establishment, use, maintenance and operation of a law library, which shall be open for the use of the public; provided, however, that such assessment shall not apply to any action in which the Commonwealth of Virginia or any political subdivision thereof or the federal government is a party, and in which the costs are assessed against any of them.

BE IT FURTHER ORDAINED that this ordinance shall take effect July 1, 2000.

On roll call the vote was:

Yea: (3) Rapp, Wiggins, Burgett
Nay: (0)

VACATION OF A COUNTY DRAINAGE AND UTILITY EASEMENT

Mr. Barnett made a presentation on proposed Resolution R00-75 which would authorize the vacation of a County drainage and utility easement across property owned by Roland R. and Betty A. Rollins. He noted the property was adjacent to Yorkminster Presbyterian Church along Route 17.

Vice Chairman Burgett then called to order a public hearing on proposed Resolution R00-75 which was duly advertised as required by law and is entitled:

A RESOLUTION TO AUTHORIZE EXECUTION OF AN INSTRUMENT
VACATING A COUNTY DRAINAGE AND UTILITY EASEMENT
ACROSS PROPERTY OWNED BY ROLAND R. ROLLINS AND BETTY
A. ROLLINS

There being no one present who wished to speak concerning the subject application, Vice Chairman Burgett closed the public hearing.

Miss Rapp moved the adoption of proposed Resolution R00-75 that reads:

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A RESOLUTION TO AUTHORIZE EXECUTION OF AN INSTRUMENT
VACATING A COUNTY DRAINAGE AND UTILITY EASEMENT
ACROSS PROPERTY OWNED BY ROLAND R. ROLLINS AND BETTY
A. ROLLINS

WHEREAS, the York County Board of Supervisors was granted a "20' Drainage & Utilities Esm't." across property designated as Parcel 3, as shown on a plat entitled "Correction Plat, Subdivision of the Property of Amory & Rollins," recorded in Plat Book 10, page 184, in the Clerk's Office of the Circuit Court of York County, Virginia; and

WHEREAS, Roland R. Rollins and Betty A. Rollins, the owners of the subject property, have requested that the easement be vacated;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 16th day of May, 2000, that the County Administrator be, and is hereby authorized, for and on behalf of the Board to execute an instrument vacating the said drainage and utility easement, such instrument to be approved as to form by the County Attorney, and provided further that the instrument of vacation shall not be recorded until such time as the subject property is owned in common with the adjacent parcel owned by Yorkminster Presbyterian Church.

On roll call the vote was:

Yea: (3) Wiggins, Rapp, Burgett
Nay: (0)

CLOSED SESSION. At 8:12 p.m. Miss Rapp moved that the Board convene in Closed Session pursuant to Section 2.1-344(a)(1) of the Code of Virginia regarding appointments to Boards and Commissions.

On roll call the vote was:

Yea: (3) Rapp, Wiggins, Burgett
Nay: (0)

Meeting Convened. At 8:29 p.m. the meeting was reconvened in open session by the order of the Vice Chairman.

Mr. Wiggins moved the adoption of Resolution SR-1 that reads:

A RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREEDOM OF
INFORMATION ACT REGARDING MEETING IN CLOSED SESSION

WHEREAS, the York County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the York County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

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NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 16th day of May, 2000, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the York County Board of Supervisors.

On roll call the vote was:

Yea: (3 Wiggins, Rapp, Burgett

Nay: (0)

Meeting Adjourned At 8:30 p.m. Vice Chairman Burgett declared the meeting adjourned to 6:30 p.m., Tuesday, May 23, 2000, in the East Room, York Hall, for the purpose of conducting a work session.

Daniel M. Stuck, Clerk
York County Board of Supervisors

Walter C. Zaremba, Chairman
York County Board of Supervisors